

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ARCADIO G. NAVARRO,

No. C 05-05107 TEH

Petitioner,

v.

**ORDER RE MOTION TO ACCEPT
LATE RESPONSE**

ALBERTO R. GONZALEZ, et al.,

Respondents.

The Court is in receipt of Petitioner's "Unopposed Motion to Accept Late response to Respondent's Motion to Dismiss." The motion is unnecessary because Respondent's opposition is not late. Respondent noticed its motion to dismiss for March 13, 2006. Accordingly, Petitioner's opposition is not due until three weeks prior, or February 20, 2006. Respondent's reply is due February 27, 2006. The January 30, 2006 deadline referred to by Petitioner was only in effect if Respondent filed an response to Petitioner's petition instead of a motion to dismiss. Accordingly, the Court accepts Petitioner's opposition but denies the motion as unnecessary.

IT IS SO ORDERED.

Dated: February 21, 2006



THELTON E. HENDERSON
UNITED STATES DISTRICT JUDGE